



UNITED STATES PATENT AND TRADEMARK OFFICE

MM
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,660	05/16/2001	Yasuhiba Shimazaki	XA-9472	1388

7590 06/18/2003

Mitchell W. Shapiro
Miles & Stockbridge P.C.
Suite 500
1751 Pinnacle Drive
McLean, VA 22102-3833

EXAMINER

CHANG, DANIEL D

ART UNIT	PAPER NUMBER
	2819

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/855,660	SHIMAZAKI ET AL.
Examiner	Art Unit	
Daniel D. Chang	2819	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 22 May 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-24 and 37-61 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 1-24, 37-50 and 59-61 is/are allowed.

6) Claim(s) 51-58 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. ____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). ____ .
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 15 . 6) Other: _____

Acknowledgement

Receipt is acknowledged of the Amendment filed May 22, 2003.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 51-58 are rejected under 35 U.S.C. 102(b) as being anticipated by Horiguchi et al (US 5,583,457).

Horiguchi et al. discloses, in figure 37, a semiconductor integrated circuit comprising:
a first logic gate (L41) which is supplied with a first potential difference as a sole operation power source (when in low power consumption mode) from a first line pair (Vcl/Vsl); and

a second logic gate (L43) which is supplied with a second potential difference as a sole operation power source from a second line pair (Vcc/Vss),

wherein said first potential difference (Vcl/Vsl) is smaller (voltage drop at R_c and R_s) than said second potential difference (Vcc/Vss), and

wherein a substrate potential of an MIS transistor (col. 3, lines 19+) is commonly used by said first and second logic gates (see substrates connected to Vcc and Vss),

at least said first logic gate includes a p-channel type (MP41) and n-channel type (MN41) MIS transistors to which a substrate bias is applied in a reverse direction (see substrate respect to Vcl and Vsl on MP41 and MN41, respectively) by said substrate potential.

Regarding claims 57 and 58, for the recitation, "a design data recording medium" with "data", it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Response to Arguments

Applicant's arguments with respect to claims 51-58 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

Claims 1-24, 37-50, and 59-61 are allowable over the prior art.

The following is an examiner's statement of reasons for allowance:

The closest prior art of record, Horiguchi et al., taken alone or in combination of other references, does not teach or fairly suggest a semiconductor integrated circuit comprising, among other things, a first logic gate supplied by a first potential pair and a second logic gate supplied by a second potential pair in an active operation mode, wherein substrate potentials of MIS transistors are commonly connected in the first and second logic gates, as set forth in the claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel D. Chang whose telephone number is (703) 306-4549. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Tokar can be reached on (703) 305-3493. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Daniel D. Chang
Primary Examiner
Art Unit 2819

DC
June 13, 2003

**DANIEL CHANG
PRIMARY EXAMINER**